

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MASSACHUSETTS**

CIVIL ACTION No.: 04-11625 RWZ

**JOAN CHARLES,**  
Plaintiff,

 $\mathbf{v}_i$ 

**OCWEN FEDERAL BANK, OCWEN FINANCIAL  
CORPORATION, MASSACHUSETTS PROPERTY  
INSURANCE UNDERWRITING ASSOCIATION  
and ONE CALL INSURANCE AGENCY, INC.,  
Defendants.**

## CERTIFICATE OF COMPLIANCE OF LOCAL RULE 37.1

Defendant's counsel, Michael W. Reilly, certifies that he complied with Rule 37.1 prior to filing the Motion to Quash Deposition.

1. The deposition subpoena was received by counsel on Friday, October 6, 2006. I called James Hoyt, the Plaintiff's counsel on that day and indicated that I was unavailable on October 13, 2006 and in any case, the deposition was untimely and I objected to it. I left a phone message indicating that I would file a Motion to Quash if we were not able to resolve the matter.
2. I did not hear from Mr. Hoyt on October 10, 2006, the first business day after my telephone call to him. On the morning of October 11, 2006, I called Mr. Hoyt and repeated my message and indicated that I felt the need to file a Motion to Quash. He returned my call and left a message indicating that he intended to go forward on Friday. He would not agree to withdraw the subpoena.

2. I did not hear from Mr. Hoyt on October 10, 2006, the first business day after my telephone call to him. On the morning of October 11, 2006, I called Mr. Hoyt and repeated my message and indicated that I felt the need to file a Motion to Quash. He returned my call and left a message indicating that he intended to go forward on Friday. He would not agree to withdraw the subpoena.

Respectfully submitted,

/s/ Michael W. Reilly

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